

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Citizens First Savings Bank v Elias Jewelry & Repair of Novi**
Docket No. **296390**
L.C. No. **2008-093944-PD**

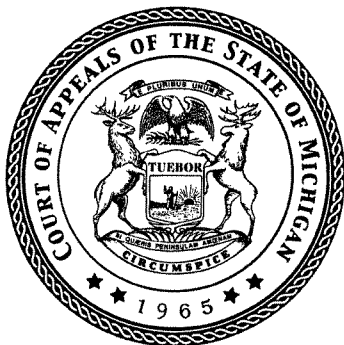
David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because the order denying the motion to intervene is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). At this time, appellant may seek to appeal the order only by filing a delayed application for leave to appeal under MCR 7.205(F).

The motion to waive fees is **GRANTED** for this appeal only.

The motion for immediate consideration of this appeal is **DISMISSED AS MOOT**.

The motion for appointment of counsel is **DENIED**; the lower court retains the authority to appoint an attorney. MCR 7.208(G).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 22 2010

Date

Sandra Schultz Mengel
Chief Clerk